

JUN 07 2005

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FAX: 312.463.5001  
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INTELLECTUAL PROPERTY LAW

## FACSIMILE TRANSMITTAL SHEET

|             |              |                     |                        |
|-------------|--------------|---------------------|------------------------|
| To:         | MS: Appeals  | FROM:               | Charles Miller         |
| COMPANY:    | USPTO        | DATE:               | June 7, 2005           |
| FAX NUMBER: | 703-872-9306 | TOTAL NO. OF PAGES: | 5 including cover page |
| RE:         |              | OUR REFERENCE NO.   | 004770.00029           |

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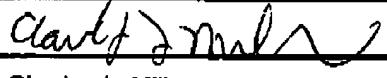
F 770/SB/21 (09-04)  
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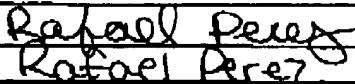
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|  |  |                      |                        |
|--|--|----------------------|------------------------|
| <b>TRANSMITTAL<br/>FORM</b>  |  | Application Number   | 09/995,649             |
|  |  | Filing Date          | November 29, 2001      |
|  |  | First Named Inventor | Hiipakka               |
|  |  | Art Unit             | 2173                   |
|  |  | Examiner Name        | Bayerl                 |
| (to be used for all correspondence after initial filing)<br>Total Number of Pages in This Submission |  | 85                   | Attorney Docket Number |

|  |  |  |
|--|--|--|
| <b>ENCLOSURES (check all that apply)</b>   |  |  |
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Fax Coversheet |
| <b>Remarks</b><br><p>The Commissioner is authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0733.</p>  |  |  |

|   |   |                 |
|---|---|-----------------|
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> |   |                 |
| Firm  | Banner & Witcoff, LTD.  |                 |
| Signature   |  |                 |
| Printed Name                                      | Charles L. Miller   |                 |
| Date  | June 7, 2005  | Reg. No. 43,805 |

|   |   |        |
|---|---|--------|
| <b>CERTIFICATE OF TRANSMISSION/MAILING</b>  |   |        |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |        |
| Signature   |  |        |
| Typed or printed name   | Rafael Perez  |        |
|   | Date  | 6/7/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (or by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4816).

# FEE TRANSMITTAL for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 500)

|                      |                   |
|----------------------|-------------------|
| Complete If Known    |                   |
| Application Number   | 09/995,649        |
| Filing Date          | November 29, 2001 |
| First Named Inventor | Hiipakka          |
| Examiner Name        | Bayerl            |
| Art Unit             | 2173              |
| Attorney Docket No.  | 004770.00029      |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) : \_\_\_\_\_

Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

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Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |              | SEARCH FEES |              | EXAMINATION FEES |              |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|
|                  | Fee (\$)    | Small Entity | Fee (\$)    | Small Entity | Fee (\$)         | Small Entity |
| Utility          | 300         | 150          | 500         | 250          | 200              | 100          |
| Design           | 200         | 100          | 100         | 50           | 130              | 65           |
| Plant            | 200         | 100          | 300         | 150          | 160              | 80           |
| Reissue          | 300         | 150          | 500         | 250          | 600              | 300          |
| Provisional      | 200         | 100          | 0           | 0            | 0                | 0            |

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Small Entity |          |
|---|--------------|----------|---------------|--------------|----------|
|   |              |          |               | Fee (\$)     | Fee (\$) |
| - 20 or HP=   | x            | =        | =             | 50           | 25       |
| HP = highest number of total claims paid for, if greater than 20. |              |          |               | 200          | 100      |
| 360   |              |          |               | 360          | 180      |

| Indep. Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |               |
|--|--------------|----------|---------------|---------------------------|---------------|
|  |              |          |               | Fee (\$)                  | Fee Paid (\$) |
| - 3 or HP=   | x            | =        | =             |                           |               |
| HP = highest number of independent claims paid for, if greater than 3. |              |          |               |                           |               |

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

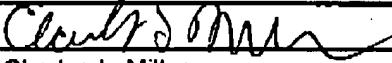
Other (e.g., late filing surcharge) : Notice of Appeal

Fee Paid (\$)

=

\$50

## SUBMITTED BY

|                   |   |                                      |        |           |              |
|-------------------|---|--------------------------------------|--------|-----------|--------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) | 43,805 | Telephone | 312-463-5000 |
| Name (Print/Type) | Charles L. Miller   |                                      |        | Date      | June 7, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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|--|----------------------------|--|----------------------------------|----------------------------|---|--|---------------|-----------------|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>   |                            | Docket Number (Optional)<br>004770.00029 |                                  |                            |   |  |               |                 |
| <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date on June 7, 2005.</p> <p>Signature <u>Rafael Perez</u></p> <p>Typed/printed name <u>Rafael Perez</u></p>  |                            |  |                                  |                            |   |  |               |                 |
| <p>In re Application of<br/>Hiipakka</p> <table border="1"> <tr> <td>Application Number<br/>09/995,649</td> <td>Filed<br/>November 29, 2001</td> </tr> <tr> <td colspan="2">For Method and Apparatus for Presenting Auditory Icons in a Mobile Terminal</td> </tr> <tr> <td>Art Unit 2173</td> <td>Examiner Beyerl</td> </tr> </table>   |                            |  | Application Number<br>09/995,649 | Filed<br>November 29, 2001 | For Method and Apparatus for Presenting Auditory Icons in a Mobile Terminal |  | Art Unit 2173 | Examiner Beyerl |
| Application Number<br>09/995,649   | Filed<br>November 29, 2001 |  |                                  |                            |   |  |               |                 |
| For Method and Apparatus for Presenting Auditory Icons in a Mobile Terminal  |                            |  |                                  |                            |   |  |               |                 |
| Art Unit 2173  | Examiner Beyerl            |  |                                  |                            |   |  |               |                 |
| <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 00.00</u></p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$</u> <u>      </u> </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed.     </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.     </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.     </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0733</u>. I have enclosed a duplicate copy of this sheet.     </p> <p> <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(e) (PTO/SB/22) is enclosed.     </p> |                            |  |                                  |                            |   |  |               |                 |
| <p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p> <input type="checkbox"/> applicant/inventor.<br/> <input type="checkbox"/> assignee of record of the entire interest.<br/>       See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.<br/>       (Form PTO/SB/98)<br/> <input checked="" type="checkbox"/> attorney or agent of record.<br/>       Registration number <u>43,805</u>.<br/> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.<br/>       Registration number if acting under 37 CFR 1.34. _____     </p> <p><u>Charles Miller</u><br/>Signature<br/>_____<br/>Typed or printed name</p> <p><u>312-463-5000</u><br/>Telephone number</p> <p><u>June 7, 2005</u><br/>Date</p>   |                            |  |                                  |                            |   |  |               |                 |
| <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.<br/>       Submit multiple forms if more than one signature is required, see below.</p>  |                            |  |                                  |                            |   |  |               |                 |

\*Total of \_\_\_\_\_ forms are submitted.

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THE BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)  
004770.00029

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Signature

*Rafael Perez*

Typed/printed name

*Rafael Perez*

In re Application of

Hiipakka

Application Number

09/995,649

Filed

November 29, 2001

For Method and Apparatus for Presenting Auditory Icons in a Mobile Terminal

Art Unit 2173

Examiner Bayerl

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

A check in the amount of the fee is enclosed.

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The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0733. I have enclosed a duplicate copy of this sheet.

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**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

applicant/inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

attorney or agent of record.

Registration number 43,805.

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

*Charles Miller*

Typed or printed name

312-463-5000

Telephone number

June 7, 2005

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.**

\*Total of \_\_\_\_\_ forms are submitted.

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